

REMARKS

The present application was filed on March 31, 2004 with claims 1 through 27. Claims 1 through 27 are presently pending in the above-identified patent application. Claims 1, 21 and 27 are proposed to be amended.

This amendment is submitted pursuant to 37 CFR §1.116 and should be entered. The Amendment places all of the pending claims, i.e., claims 1-11, in a form that is believed allowable, and, in any event, in a better form for appeal. The amendment is accompanied by a Request for Continued Examination.

In the Office Action, the Examiner rejected claims 1-27 under 35 U.S.C. §103(a) as being unpatentable over the P-Synch version 6.2 software product, as evidenced by the "P-Synch Installation and Configuration Guide" (hereinafter, "P-Synch"), in view of the web page "SecurityStats.com Password Strength Meter" (hereinafter, SecurityStats.com").

The Examiner is thanked for the courtesy of a telephone interview on September 4, 2008 in which the prior amendment and the primary cited references were discussed. As discussed during the interview, the Internet searching techniques of the present invention are to be contrasted with the table look-up and dictionary comparisons taught by the prior art. The Examiner maintained that the dictionary could be accessed over the Internet.

The present amendment was discussed during the interview and the Examiner agreed that the present Amendment distinguishes the claims over the prior art of record. The Examiner indicated that a new search may be required.

Independent Claims

Independent claims 1, 21 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over P-Synch in view of SecurityStats.com.

During the telephone interview, the Examiner acknowledged that the cited references, alone or in combination, do not disclose or suggest "performing an Internet search using a query containing one or more keywords derived from said proposed password, wherein said Internet search searches contents of the Internet *across a plurality of web sites* using a search engine tool," as required by each independent claim, as amended.

Each independent claim has been amended to emphasize that the claimed “Internet search” searches contents of the Internet *across a plurality of web sites* using a search engine tool. Support for this amendment can be found in the original specification, for example, at page 9, lines 15-16 (“The analysis correlates the number to the person by analyzing the number of hits obtained by using a search engine (such as Google.com or Orkut.com) where both the person and number appear on the same page.”)

Applicants submit that P-Synch and SecurityStats.com, alone or in combination, *teach away* from the present invention by suggesting the use of table lookups and dictionary comparisons, respectively.

The present invention, on the other hand, ensures that a proposed password cannot be correlated with the user by performing an *Internet* search (as defined herein) using a query containing one or more keywords derived from said proposed password; evaluating results of said search relative to one or more predefined thresholds; and rejecting said proposed password when said user is correlated with said proposed password if one or more of said predefined thresholds are exceeded by said results, as required by each independent claim, as amended. See, for example, Published Version of Application, Pars. 40, 65, 74 and 81. In this manner, the present invention is said to ensure that the authentication information provided by a user is not easily obtained through an online search. See, Abstract.

Applicants respectfully request withdrawal of the rejection of the independent claims under Section 103.

Dependent Claims

Claims 2-20 and 22-26 are dependent on independent claims 1 and 21, respectively, and are therefore patentably distinguished over the cited references, alone or in combination, because of their dependency from independent claims 1 and 21 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

Conclusion

All of the pending claims following entry of the amendments, i.e., claims 1-27, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kevin M. Mason".

Date: September 25, 2008

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